

## REMARKS

By this Amendment, the drawings are replaced pursuant to the attached drawing sheets, the specification and claims 1, 7, 21, 22, 34 and 40-42 are amended to incorporate allowable subject matter. Claims 2-6, 8-20, 23-33, 36, 38, 39 and 43-47 are cancelled (including claims 2-6, 8-11, 15-19, 26-29, 33, 36, 38, 43-47 as having been withdrawn from consideration as being drawn to a non-elected Species, there allegedly being no generic or linking claim, the election having been made without traverse). Accordingly, claims 1, 7, 21, 22, 34, 35, 37 and 40-42 are pending in this application. No new matter is added by any of these amendments.

Reconsideration based on the following remarks is respectfully requested.

### **I. Allowable Subject Matter**

Applicant gratefully acknowledges that the Office Action indicates that claims 40 and 41 contain allowable subject matter. As such, Applicant amends claims 1, 7 and 34 to incorporate the allowable and intervening features. Consequently, Applicant asserts that the pending claims are allowable for the reasons discussed below.

### **II. Objection to the Drawings under 37 CFR §1.84**

The Office Action objects to the drawings based on informalities regarding solid shapes described in the specification under 37 CFR §1.83(a). Figures 1-9 are replaced and Figures 10-12 are added pursuant to the attached drawing sheets in accordance with 37 CFR §1.121(d). In particular, Figures 10-12 are perspective drawings of the solid forms or shapes of the reactive material corresponding respectively to a cylinder, a sphere and a cube. The specification is also amended for consistency. No new matter is added. Withdrawal of the objection to the drawings is respectfully requested.

### **III. Objection to the Specification**

The Office Action objects to the specification based on informalities regarding terminology. Accordingly, the specification is amended to replace "shape" with --form--.

Withdrawal of the objection to the specification is respectfully requested.

**IV. Objection to the Claims**

The Office Action objects to the claims based on informalities regarding terminology. Accordingly, claims 1, 7, 21, 22, 34, 40-42 are amended to replace "shape" with --form--. Withdrawal of the objection to the claims is respectfully requested.

**V. Anticipatory Rejections under 35 U.S.C. §102**

The Office Action rejects claims 1, 7, 20, 23 and 30 as being allegedly anticipated under 35 U.S.C. §102(b) over U.S. Patent 3,961,576 to Montgomery Jr. (hereinafter "Montgomery"). The Office Action further rejects claims 1, 7, 12-14, 23-25, 34, 35, 37, 39 and 42 as being allegedly anticipated under 35 U.S.C. §102(b) over U.S. Patent 4,671,181 to Romer *et al.* (hereinafter "Romer").

These rejections are rendered moot by the incorporation of the features of allowable claims 40 and 41 and intervening claimed features into independent claims 1, 7 and 34, and the cancellation of claims 12-14, 23-25 and 39. Neither Montgomery nor Romer describes or suggests the allowable features. This applies by extension to claims 21 and 22 based on their dependence from claim 7, and to claims 35, 37 and 42 based on their dependence from claim 34.

For at least these reasons, Applicant respectfully asserts that the independent claims are patentable over the applied reference. The dependent claims are likewise patentable over the applied references for at least the reasons discussed, as well as for the additional features they recite. Thus, Applicant respectfully requests that the rejections under 35 U.S.C. §102 be withdrawn.

**VI. Obviousness Rejection under 35 U.S.C. §103**

The Office Action rejects claims 21, 22, 31 and 32 as being allegedly obvious under 35 U.S.C. §103(a) over Montgomery. This rejection is rendered moot, as discussed *supra*, by the incorporation of allowable subject matter into independent claim 7, from which claims 21 and 22 depend, and the cancellation of claims 31 and 32.

For at least these reasons, Applicant respectfully asserts that these dependent claims are patentable over the applied reference. Consequently, all the claims are in condition for allowance. Thus, Applicant respectfully requests that the rejection under 35 U.S.C. §103 be withdrawn.

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**VII. Conclusion**

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,



Gerhard W. Thielman  
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Attachment:  
Replacement Drawing Sheets (Figs. 1-12)

Date: November 8, 2005

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**Amendments to the Drawings:**

The attached sheets of drawings include two replacement sheets and one additional sheet. These sheets, which include Figs 1-12, replace the original sheets including Figs. 1-9.

Attachment: Replacement Sheets: Figs. 1-12